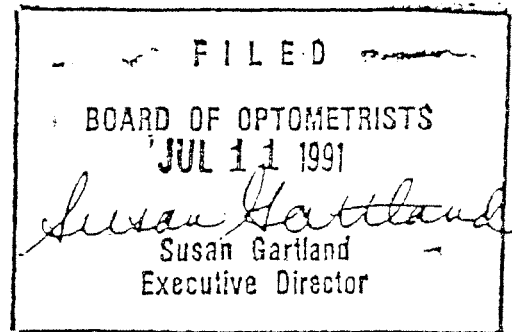


ROBERT J. DEL TUFO
ATTORNEY GENERAL OF NEW JERSEY

By: Carol G. Jacobson
Deputy Attorney General
Division of Law, Fifth Floor
1207 Raymond Boulevard
P.O. Box 45029
Newark, New Jersey 07101
Tel. (201) 648-2478



STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF OPTOMETRISTS
DOCKET NO.

IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF THE LICENSE OF

JOSEPH LEOVIC, O.D.
LICENSE NO. 3769

TO PRACTICE OPTOMETRY IN THE
STATE OF NEW JERSEY

Administrative Action
FINAL CONSENT ORDER

This matter was opened to the New Jersey State Board of Optometrists (hereinafter "Board") on the complaint of Robert J. Del Tufo, Attorney General of New Jersey, by Deputy Attorney General, Carol G. Jacobson, alleging that respondent failed to perform and/or record the results of the minimum optometric examination in a review of 12 patient records in violation of N.J.S.A. 45:12-11(v) and N.J.A.C. 13:38-2.1 and 2.3.

The parties having conferred and being desirous of resolving this action without resort to a disciplinary proceeding and respondent expressly waiving any further right to a hearing before the Board in pursuit of this matter and it further

appearing that the entry of the within Order will serve the public interest:

IT IS, THEREFORE, on this 28th day of June, 1991,

ORDERED:

1. Respondent's license shall be suspended for a period of twelve (12) months, the first fifteen (15) days of which shall be active and the remainder of which shall be stayed and deemed to be a period of probation during which respondent shall fully comply with all provisions contained in this Board's enabling act and implementing regulations as well as the general laws of the State of New Jersey. The aforesaid period of active suspension shall commence on May 13, 1991.

2. Respondent shall immediately commence a transcript quality course in basic clinical optometric skills and record-keeping, the duration of which is at least the equivalent of one semester, at SUNY College of Optometry or Pennsylvania College of Optometry or another accredited institution of optometry. The Board shall approve in writing in advance the curriculum to be taken by respondent. Respondent shall pass the course with a grade of "C" or better. Upon the completion of the required course work, respondent shall cause the school attended to send a Certification to the Board verifying the dates and amount of time spent and grade in the course.


3. Upon entry of the within Order, respondent, upon demand made, shall grant the Board, or any investigator sent by the Board, full access to all patient records on unannounced, random inspections. In the event that respondent violates any provision of the Board's enabling act (N.J.S.A. 45:12-1 et seq.), the Uniform Enforcement Act (N.J.S.A. 45:1-21 et seq.) or any implementing regulations and most particularly N.J.S.A. 45:12-11(v), N.J.A.C. 13:38-2.1 and 2.3 (copies annexed hereto) within the period of probation, respondent shall be notified in writing of the alleged violations and given an opportunity to respond, said response to be limited to written submissions to the Board. If after reviewing the charges alleged and the responses thereto the Board finds on the papers that respondent has violated any of the aforementioned statutory or regulatory provisions, respondent's license may be suspended for an additional period of up to one (1) year.

4. Within twenty (20) days of the entry of the within Order, respondent shall pay a civil penalty of \$6,000. Payment shall be made by way of certified check or money order payable to the State of New Jersey and submitted to the Board offices, P. O. Box 45012, 1207 Raymond Boulevard, Newark, New Jersey 07101.

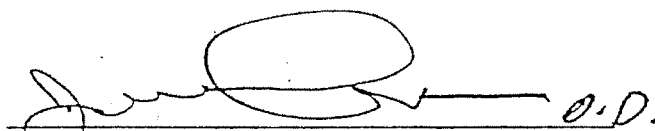
5. Within twenty (20) days of the entry of this Order, respondent shall pay costs to the Board in the amount of \$997.68. Said payment shall be made by way of certified check or money order payable to the State of New Jersey and submitted to the Board offices.

6. Following the successful completion of the course required in paragraph 2, respondent shall notify and recall those patients on whom he failed to perform and/or to record the minimum optometric examination and shall perform and record the results of such examination as required by N.J.A.C. 13:38-2.1 and 2.3 for each such patient. Respondent shall charge neither the patient nor any third party payor for such recall examination.

7. The within Order is effective upon filing.

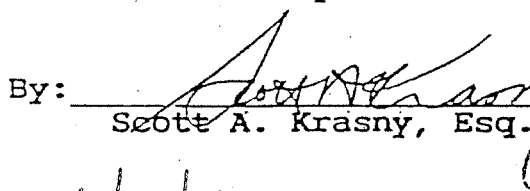

Leonard Strulowitz, O.D.
State Board of Optometrists

I have read the contents of this Order. I understand the terms of this Order and agree to be fully bound by them. Consent to enter this Order is hereby given.


Joseph Lebovic, O.D.

Consented as to form:

ALBERT, SCHRAGGER, LEVINE
LEVY and SEGAL
Counsel for Respondent

By: 
Scott A. Krasny, Esq.

6/17/91
Date